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Israel Agrees to Probe Pollard Affair

Domestic Political, U.S. Jewish, Pressures Prompted Reversal

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JERUSALEM, March 11—Israel today bowed to intense pressure from the United States and domestic political forces and decided to appoint a two-member commission to investigate the Jonathan Pollard spy scandal.

The decision, made unanimously by the 10-member inner cabinet after a special 7½-hour closed meeting, allowed Israel's leaders to postpone taking action on the two Israelis alleged to have run the spy operation in the United States. There has been a growing demand among American Jewish leaders, the Israeli press and many politicians here that the two men—former intelligence official Rafael Eitan and Air Force Lt. Col. Aviem Sella—resign or be fired from their present posts.

The decision was a reversal of position for Israel's leaders, especially Prime Minister Yitzhak Shamir. Until today, he had insisted that no further investigation was necessary because the Pollard affair was a transitory issue that would have no serious impact on U.S.-Israeli relations.

But Avi Pazner, Shamir's spokesman, said the prime minister had been persuaded to change his position by mounting concern among Jewish leaders here and in the United States. "He was concerned that a credibility gap would develop, that people wouldn't have full trust in what the government is saying, and he decided that the best solution was to hold an inquiry and put things in the open," said Pazner.

The commission is not a formal commission of inquiry, which would have to be approved by Israel's parliament, and will not have power to subpoena or to compel witnesses to appear or answer questions. Its findings will not legally bind the government.

Nonetheless, Pazner said it would wield the same political power as a regular commission. "Their recom-

mendation will be as binding morally, publicly and politically as a full inquiry and I can't see anyone daring not to cooperate," he said.

No official would predict what the commission would decide, but several said privately they expected it to ease the political burden on the Cabinet by determining whether Eitan, Sella and other principals in the case should be punished. "It will hopefully solve the paralysis on this issue," one official said.

Two prominent Israelis have been asked to sit on the panel: retired general Zvi Tzur, military chief of staff in the early 1960s, and retired Supreme Court justice Moshe Landau, who presided over the war crimes trial of Adolf Eichmann 26 years ago. Officials said Tzur has agreed and Landau will decide Thursday.

A statement by the inner cabinet cited the "special significance" of the Pollard affair and "the unique relations" between Israel and the United States as justifying the special commission. It also said the Cabinet would cooperate with the intelligence subcommittee of the parliament's Foreign Affairs and Defense Committee, headed by Abba Eban, who has said he also plans to investigate the affair. Until today, Shamir had vehemently opposed Eban's probe.

The Pollard affair has been a source of embarrassment and tension for Israel in its relations with the United States since the former U.S. Navy intelligence analyst was arrested in November 1985 and charged with spying for Israel.

Israel at the time apologized for what it termed an unauthorized "rogue operation," pledged complete cooperation with federal investigators and promised to "call to account" those responsible.

But U.S. prosecutors have alleged that Eitan, who ran the now-disbanded spy shop that handled Pollard, lied to them about the operation. Eitan was forced to quit intelligence work but was given the chairmanship of Israel Chemicals Ltd., the country's largest state-run company.

Sella, an Israeli war hero who allegedly recruited Pollard in 1984 in New York, recently was given the command of Israel's second-largest air base, Tel Nof, an appointment announced only days before he was indicted by a federal grand jury in Washington for his alleged role.

Pollard was convicted of espionage last June and sentenced to life imprisonment last week. His wife, Anne Henderson-Pollard, was given two concurrent five-year terms for her role.

U.S. officials have seen Sella's and Eitan's new assignments as violations of Israel's pledge to punish Pollard's handlers and as indications that the spy operation may have had official sanction. The White House has ordered U.S. diplomats and military personnel to have no contact with Sella while he is under indictment.

Many Israeli officials have privately called Sella's promotion a blunder, but they contend they have been powerless to reverse it because he has strong support from the Air Force and from Army Chief of Staff Moshe Levy. A group of senior Air Force officers has met twice with Defense Minister Yitzhak Rabin to insist that Sella go unpunished because he was acting in good faith in the Pollard affair.

Eitan also has appeared untouchable because he has the backing of Trade and Industry Minister Ariel Sharon. Given the delicate balance of forces in Israel's coalition government, no Cabinet minister was prepared to openly challenge either Sharon or Rabin.

Instead, pressure mounted from outside the Cabinet for action. Israel's daily newspapers, in an unusual show of unity, have all demanded Sella's resignation. So have a growing number of politicians from both blocs, who perceived that the revival of the Pollard case, coming on the heels of the controversy over Israel's role in the Iran arms affair, could seriously damage Israel's standing in the United States and particularly in Congress.

Foreign Minister Shimon Peres, who had first said he believed the Pollard case would not cause lasting damage, is said to have changed his mind in recent days. Sources here said he was pushed along by a written assessment by the Foreign Ministry warning that Israel eventually would face a loss in American aid and strategic cooperation if it did not move at once on the situation.

The Israeli press has speculated that the United States was about to cut off all intelligence data and other strategic cooperation with Israel. But U.S. sources indicated that Washington, while publicly expressing grave displeasure, had held off taking action to give the debate here a chance to reach a satisfactory conclusion.

"Our problem was not with the American government," said Pazner. "It was with public opinion in Israel and the United States, especially Jewish public opinion, and that's why this has been done."

The most influential pressure came from American Jewish leaders, officials here said. Several are due here in the next few days and many have been warning in advance that American Jews do not understand Israel's position on the Pollard affair.

"I've had a sense of Alice in Wonderland in some of the comments I've heard from Israel's leaders," said Abraham Foxman, associate director of the Anti-Defamation League of B'nai B'rith, who arrived last night in a special delegation to warn Israel about the affair's impact. "Israel is under a cloud and it could have very serious consequences if the leadership here doesn't come to grips with reality."